



Plenary sitting

B8-0054/2016

11.1.2016

MOTION FOR A RESOLUTION

to wind up the debate on the statement by the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy

pursuant to Rule 123(2) of the Rules of Procedure

on the peace process in Colombia
(2015/3033(RSP))

Ernest Urtasun, Barbara Lochbihler, Ulrike Lunacek, Tamás Meszerics, Molly Scott Cato, Jordi Sebastià, Igor Šoltes, Josep-Maria Terricabras, Bodil Valero
on behalf of the Verts/ALE Group

**European Parliament resolution on the peace process in Colombia
(2015/3033(RSP))**

The European Parliament,

- having regard to its numerous resolutions on the situation in Colombia, including the situation of human rights, and its resolutions on previous peace processes,
 - having regard to the special ties that bind the EU and Colombia at the political, trade and cooperation levels,
 - having regard to the agreements struck in Havana to date on comprehensive rural reform, political participation and a democratic opening to build peace, the solution to the problem of illicit drugs and the rights of victims, and on a comprehensive justice system,
 - having regard to paragraph 44 of the Message of the EP Delegation to the Euro-Latin American Parliamentary Assembly (EuroLat) to the II EU-CELAC Summit in Brussels on the termination of the internal conflict between the Government of Colombia and the Revolutionary Armed Forces of Colombia (FARC), and the Brussels Declaration adopted at the end of the Summit on 11 June 2015,
 - having regard to the statement of 24 September 2015 by the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy (VP/HR), Federica Mogherini, on the agreement of 24 September 2015 on transitional justice in Colombia, and her statement of 1 October 2015 appointing Eamon Gilmore as EU Special Envoy for the Peace Process in Colombia,
 - having regard to Rule 123(2) of its Rules of Procedure,
- A. whereas the EU and Colombia maintain political relations based on dialogue founded on mutual respect in the framework of the Memorandum of Understanding of 28 November 2009 and, since 2009, on a specific political dialogue focused on human rights;
- B. whereas since 2013 the EU and Colombia have maintained a framework of close economic and trade cooperation established in the Trade Agreement between Colombia and Peru of the one part, and the European Union and its Member States of the other part, which includes a section on human rights (article 1), and in particular the chapter on trade and sustainable development;
- C. whereas the ‘Mesa de Diálogo’ (platform for dialogue) between the Government of Colombia and the FARC was established in Havana on 19 November 2012 following the signing of the General Agreement for the Termination of the Conflict and the Construction of a Stable and Lasting Peace, thus fulfilling the wish of the people of Colombia to live in peace, and acknowledging in particular that the construction of peace concerns the entire population, that it is the duty of the state to promote human rights throughout its territory, and that fair economic and social development ensures peace and is at the same time a pre-condition for the inclusive and sustainable growth of the

country;

- D. whereas the negotiators in Havana concluded agreements on a new Colombian countryside and comprehensive rural reform, on political participation and a democratic opening to build peace, and on a solution to the problem of illicit drugs;
 - E. whereas, on 15 December 2015, the Government of Colombia and the FARC announced the conclusion of an agreement on the victims of the conflict called the Comprehensive System of Truth, Justice, Reparation and Non-Repetition, including the Special Jurisdiction for Peace, and the Commitment on Human Rights; and whereas this agreement established the Commission for the Clarification of the Truth, Coexistence and Non-Repetition and the Special Unit for the Search for People considered to have Disappeared in the context of and on account of the conflict, in addition to the unit for the investigation and dismantling of criminal organisations, including those that have been termed the successors of paramilitarism;
 - F. whereas this agreement represents a significant step forward in the construction of a stable and lasting peace, recognising all victims of the conflict not only as victims but also and above all as citizens with rights, and in particular the right to participate in the clarification of the truth and to be compensated for any harm they might have suffered in the armed, social and political conflict;
 - G. whereas in Colombia there are no guarantees for human rights activists, and especially for those working to defend the land from agro-industrial and mining projects;
 - H. whereas organised civil society plays a key role in the peace process, bringing together human rights defence organisations, women's organisations, rural communities, Afro-Colombian communities and indigenous groups that have developed a number of initiatives and proposals at the local, regional and national levels;
 - I. whereas a process for the construction of a stable and lasting peace in Colombia, that goes beyond the resolution of the armed internal conflict that has lasted for over 50 years, with millions of victims, is a first priority for Colombia, but also for the European Union and the international community, as demonstrated by the many statements made in support of the peace process by various countries and regional and international bodies, including the European Union;
- 1. Warmly welcomes the agreements made to date that are decisive steps towards a definitive peace agreement;
 - 2. Condemns all suffering caused by the conflict and considers that these agreements are decisive steps to achieve an agreement for a stable and lasting peace which will put an end to half a century of internal armed conflict and take into account most notably the right of the victims of the conflict to full, true and fair reparation for the physical, moral and material damages suffered, and which will guarantee that such events will not be repeated;
 - 3. Recognises the great political effort, realism and perseverance demonstrated by both the Government of Colombia and the FARC in the process of bringing their conflicting

views into line and gradually creating an area of commitment that has allowed progress in the negotiations;

4. Strongly supports the talks under way to bring about a definitive ceasefire and the complete cessation of hostilities as soon as possible; and thus calls on all Colombian political forces to make an effort to achieve a consensus with regard to this agreement;
5. Calls for the process under way to be extended to include the National Liberation Army (ELN) or, if appropriate, for parallel negotiations to be organised along the same lines, given that a lasting peace will not be possible without the involvement of all parties to the conflict;
6. Welcomes with particular satisfaction the agreement reached on item 5 (Victims) of the agenda of the General Agreement between the Government of Colombia and the FARC which includes the creation of the Commission for the Clarification of the Truth, Coexistence and Non-Repetition; the Special Unit for the Search for People considered to have Disappeared in the context of and on account of the conflict; the Special Jurisdiction for Peace, and the specific measures for reparations and non-repetition guarantees, and the unit for the investigation and dismantling of criminal organisations, including those that have been termed the successors of paramilitarism;
7. Notes with satisfaction that, by excluding crimes against humanity, genocide and serious war crimes from any amnesty or pardon, the Peace Agreement appears to be aligned with international criminal and humanitarian law and current international instruments and standards in the field of human rights; and reiterates that existing international law assigns competency for the supervision of the respect for international standards to the multilateral human rights bodies and the international criminal court (ICC);
8. Emphasises the need to set up effective systems to assess the relationship between crimes and the armed conflict in order to avoid common crimes committed outside of the context of the armed conflict being brought before the Jurisdiction;
9. Warmly welcomes the agreement concluded for the creation of a Commission for the Clarification of the Truth, Coexistence and Non-Repetition as an independent, impartial and extra-judicial mechanism to establish, based on victim testimony, a true historical version of events – for only through a sincere description of the past and the assuming of all responsibilities is it possible to build a reconciled future, confirm the rights of all victims and set down firm guarantees of non-repetition;
10. Recognises the important role played so far by Cuba and Norway as guarantor countries and Chile and Venezuela as countries accompanying the peace process;
11. Warmly welcomes the decision of 1 October 2015 of the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy (VP/HR), Federica Mogherini, to appoint Eamon Gilmore, former Deputy Prime Minister and former Minister for Foreign Affairs and Trade of the Republic of Ireland, as the Special Envoy of the European Union for the Peace Process in Colombia; is committed to making all the necessary efforts to provide the new Special Envoy as soon as possible with the budgetary resources needed for the successful performance of his important

mission; calls on the Special Envoy to meet with both parties and with organised civil society in Colombia;

12. Reiterates its readiness to provide all possible assistance to support the implementation of the final Peace Agreement, and to this end renews its call on European Union Member States to create a trust fund to accompany the post-conflict phase; considers that this fund should be administered with the agreement of both parties and that the communities and civil society organisations should have direct access to the fund to ensure that its use reflects the priorities expressed by the victims with regard to truth, justice and reparations and the guarantees of non-repetition, for the construction of a stable and lasting peace;
13. Reiterates once again that violence is not a legitimate method of political struggle, and calls on those who have been of that conviction to embrace democracy with all its implications and requirements – as a first step, the permanent abandonment of weapons; calls, in this regard, for the opposition's right to pursue its political activities to be respected, without the systematic persecution that it has historically been subjected to;
14. calls once again for human rights to be fully and permanently upheld by the Colombian political system and its institutions the length and breadth of the country; violence must be completely eradicated from a country in which 50 years of conflict have on occasion led to extra-legal responses, habits and conduct in some State institutions that are not in accordance with the rule of law and the required respect for human rights; in this regard, calls for the protection of all those who defend human rights in Colombia and for guarantees of the right to free association and peaceful demonstration; reiterates that, as stated by some United Nations rapporteurs, 'the rights to peaceful protest and to collectively express an opinion are fundamental to the existence of a free and democratic society'¹;
15. Stresses the important monitoring work that the Office of the UN High Commissioner for Human Rights will be able to carry out in Colombia once the peace agreements have been concluded;
16. Calls on Colombia to ensure the dismantling of paramilitary groups and thereby comply with the recommendation of the UN High Commissioner for Human Rights in this regard: 'State responses to violence by post-demobilisation groups linked to organised crime should use a comprehensive approach that takes into account police-led public security, the judicial fight against impunity, accountability of civil servants to prevent corruption and measures to fight poverty and exclusion';
17. Calls on Colombia to refrain from passing laws that run counter to the aims of the Havana negotiations and to bring the National Development Plan into line with the agreements concluded and the construction of peace at the territorial level, respecting the right to prior consultation, ensuring the appropriate conditions for the return of internally displaced persons and refugees, and the restitution of land;
18. Commits to establishing a joint parliamentary group to monitor the implementation of the agreements that have been concluded together with the human rights situation in

¹ <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=15597&LangID=E>

Colombia in the important post-conflict phase;

19. Instructs its President to forward this resolution to the Council, the Commission, the EU rotating Presidency, the High Representative of the Union for Foreign Affairs and Security Policy, the Euro-Latin American Parliamentary Assembly and the Government and the Congress of Colombia.